

United States District Court
MIDDLE DISTRICT OF TENNESSEE (NASHVILLE DIVISION)

UNITED STATES OF AMERICA

v.

DANIEL W. GREEN

UNDER SEAL

CRIMINAL COMPLAINT

Case Number: 10-3095 MB

I, the undersigned complainant being duly sworn state the following is true and correct to the best of my knowledge and belief. Between on or about April 1, 2008 and on or about November 19, 2009 in Williamson County, in the Middle District of Tennessee defendant(s) did,

knowingly and intentionally employ, use, persuade, induce, entice, and coerce a minor child to engage in sexually explicit conduct for the purpose of producing any visual depiction of such conduct, which visual depiction was produced using materials that had been mailed, shipped or transported in interstate or foreign commerce, and did attempt to do so,

in violation of Title 18 United States Code, Section(s) 2251(a). I further state that I am a(n) Detective, Franklin Police Department, Internet Crimes Against Children Unit and that this complaint is based on the following facts:

See Attached Affidavit

Continued on the attached sheet and made a part hereof:

Yes No

Brett A. Kniss

Signature of Complainant

Detective Brett A. Kniss

Franklin Police Department

Internet Crimes Against Children Unit

Sworn to me and subscribed in my presence,

April 1, 2010

Date

Joe B. Brown, United States Magistrate Judge

Name & Title of Judicial Officer

at

Nashville, Tennessee

City and State

Joe B. Brown

Signature of Judicial Officer

AFFIDAVIT OF DETECTIVE BRETT KNISS
Franklin Police Department
Internet Crimes Against Children Unit

Brett A. Kniss, being first duly sworn on oath, states as follows:

1. I Brett A. Kniss: I am a detective assigned to the Internet Crimes Against Children (ICAC) Task Force with the Franklin Police Department. I have been with the Franklin Police Department since 1999. Additionally, I have been deputized as a special federal agent and am working as a Task Force Officer with the Federal Bureau of Investigation's Joint Cyber Crime Task Force
2. This affidavit is submitted in support of a Criminal Complaint for the arrest of **DANIEL W. GREEN**, for the following offense: between on or about April 1, 2008 and on or about November 19, 2009, in the Middle District of Tennessee, the defendant, Daniel W. Green, did knowingly and intentionally employ, use, persuade, induce, entice, and coerce a minor child to engage in sexually explicit conduct for the purpose of producing any visual depiction of such conduct, which visual depiction was produced using materials that had been mailed, shipped or transported in interstate or foreign commerce, and did attempt to do so, in violation of 18 U.S.C. § 2251(a).
3. The following information contained in this affidavit is based on my training and experience, my personal participation in this investigation and information provided to me by other law enforcement officials. Unless otherwise indicated, where I have referred to written or oral statements, I have summarized them in substance and in part, rather than verbatim. Not all of the facts of the investigation known to me are contained herein, only those necessary to establish probable cause for the arrest of **DANIEL W. GREEN**.
4. In November 2009, the Fairview Police Department in Williamson County, Tennessee received a complaint about child sexual abuse. Specifically, the father of two victims (hereinafter "Father") met with detectives on November 19, 2009. Father stated that his two daughters (ages 10 and 7) had disclosed to him and his mother (hereinafter "Grandmother") about having been molested by defendant Daniel Green.
5. Earlier in the day, Grandmother had driven the two girls to the bus stop. The older girl said she wanted to talk to her grandmother about something. The older girl stated that defendant had been talking to her and her sister on the Internet and also had made her put his "thing" in her mouth. She said that white stuff would come out. The younger girl stated that the same thing happened to her. The older child also told Grandmother that defendant had recorded the sexual activity with a blue video camera.
6. Grandmother dropped the girls at the bus stop and contacted her son, Father. They went to get the girls from their elementary school and took them home. Father spoke to each girl separately. Each told him that defendant had been "sticking his thing" in their mouths. The older child explained that defendant had been doing this for a year or more and as recently as three days ago. The older child also told Father that defendant would make the girls watch videos on his computer.

7. At a forensic interview less than a week later, both girls again disclosed the sexual abuse by defendant. Each disclosed that several times in the last year, defendant had put his "thing" in their mouths several time and that white stuff came out. The older girl said that defendant would put his "thing" against her vagina and rub on it." She also stated that he tried to put his "thing" in her vagina. When she said "ouch," he stopped. Both girls stated that he would put his tongue on their "privates." And both stated that he had taken pictures of them with a blue camera.
8. GREEN was known to the family and had been living in the same residence with the girls during the period of time that the sexual abuse took.
9. A state search warrant was executed that day at the home of defendant. Two computers were seized and submitted for forensic review: a Dell Dimension Tower with a Western Digital hard drive, and an eMachines Tower with a Hitachi hard drive.
10. The forensic examiner found numerous non-pornographic and pornographic images of the two girls. Some of the images of the girls include images of them performing oral sex on an adult male. I have observed these images.
11. I have received information from various law enforcement agents in this case, including a detective with the Fairview Police Department and the forensic examiner, that these images were taken within a year and a half before they were seized.
12. Other images and videos of child pornography depicting unknown children were also found on the computers.
13. All of the images mentioned above were stored on two hard drives: a Western Digital hard drive located in the Dell computer and a Hitachi hard drive was located in the eMachines computer. Each of these two hard drives was manufactured outside of the state of Tennessee.

Brett C. Kniss
Detective Brett Kniss
Franklin Police Department
Internet Crimes Against Children Unit

Subscribed and Sworn to
before me this 1st day of April, 2010

Judge Joe B. Brown
United States Magistrate Judge
Middle District of Tennessee